

06/27/03

16638 U.S. PTO

**DIVISION - CONTINUATION - CONTINUATION-IN-PART
APPLICATION TRANSMITTAL FORM**

Attorney Docket No.:

A-527B

Anticipated Classification Of This Application:
Class Subclass

Prior Application:
Examiner
S. Huff

Art Unit
1642

To the Commissioner for Patents:

This is a request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 09/428,082 filed on October 22, 19 99, of Feige, et al.

for MODIFIED PEPTIDES AS THERAPEUTIC AGENTS

For CONTINUATION or DIVISIONAL APPLNs only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

1. ☒ Transmitted herewith are:
☒ 129 pages of specification, 6 pages of claim(s) and 1 page of abstract, totaling 136 pages.
☒ 37 sheet(s) of formal drawings.
☒ 6 pages of Oath or Declaration by the applicant(s):
☐ a. Newly executed (original or copy)
☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
☒ 332 pages of Attorney Statement and Sequence Listing.
2. ☒ The filing fee is calculated below:

For	Number Filed		Number Extra		Rate		Fee
Total Claims	13	- 20 =	0	x	\$18.00	=	\$ 0.00
Independent Claims	1	- 3 =	0	x	\$84.00	=	0.00
Multiple Dependent Claims	0			+	\$280.00	=	0.00
Basic Fee					\$750.00	=	750.00
Total Filing Fee							\$ 750.00

3. ☒ Please charge Deposit Account No. 01-0519, in the name of Amgen Inc., in the amount of \$ 750.00. An original and one copy are enclosed.
4. ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
5. ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 01-0519 throughout the prosecution of this application.
6. ☒ Cancel in this application original claims 8-12 and 17-51 of the prior application and consider the added claims in the preliminary amendment, before calculating the filing fee. (At least one filing purposes.)

EXPRESS MAIL CERTIFICATE"Express Mail" mail labeling number: EV 351340050 USDate of Deposit: June 27, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

SL ST. ANDREW
Printed Name

SL ST. ANDREW
Signature

7. ☒ Preliminarily, please amend the specification by inserting before the first line the following:

--This application is a ☐ continuation ☒ division of application Serial No. 09/428,082, filed October 22, 1999, which claims the benefit of U.S. Provisional Application No. 60/105,371, filed October 23, 1998, which are hereby incorporated by reference --

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a. ☐ New formal drawings are enclosed.

9. ☐ Priority of application Serial No. _____ filed on _____ in _____ (country) is claimed under 35 USC 119.

9a. ☐ The certified copy has been filed in prior application Serial No. _____ filed _____

10. ☒ The prior application is assigned of record to Amgen Inc.

11. ☒ A preliminary amendment is enclosed.

12. ☒ Also enclosed Information Disclosure Statement and Form 1449

13. ☐ Other: _____

14. ☒ The power of attorney in the prior application is to:
Steven M. Odre, Reg. No. 29,094
Ron K. Levy, Reg. No. 31,539
Timothy J. Gaul, Reg. No. 33,111

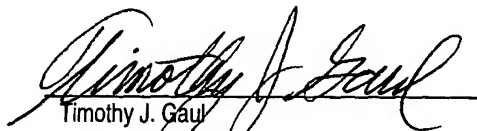
a. ☒ The power appears in the original papers in the prior application.

b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to
Timothy J. Gaul
 at the address below.

Signator: ☐ Assignee of complete interest

☒ Attorney or agent of record



Timothy J. Gaul
 Attorney/Agent for Applicants
 Registration No. 33,111
 Phone: (805) 447-2688
 Date: June 27, 2003

Please send all future correspondence to:

U. S. Patent Operations/ [TJG]
 Dept. 4300, M/S 27-4-A
 AMGEN, INC.
 One Amgen Center Drive
 Thousand Oaks, California 91320-1799, USA



21069

PATENT TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Feige et al.

Serial No.: Not Yet Assigned

Group Art Unit No.: 1642

Filed: June 27, 2003

Examiner: S. Huff

For: MODIFIED PEPTIDES AS THERAPEUTIC AGENTS

Docket No.: A-527B

TRANSMITTAL OF FORMAL DRAWINGS AND/OR PHOTOGRAPHS

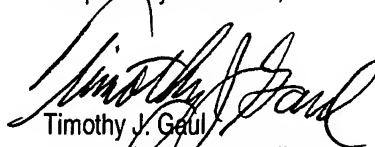
Mail Stop PGPUB Drawings
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The formal drawings and/or photographs for this application are attached.

Please charge Deposit Account No. 01-0519 in the name of Amgen, Inc. for any fee deficiency, or credit said account for any overpayment, which results at any time during the pendency of the noted application or as a consequence of its issuance.

Respectfully submitted,


Timothy J. Gaul
Attorney Agent for Applicants
Registration No.: 33,111
Phone: (805) 447-2688
Date: June 27, 2003

Please send all future correspondence to:

US Patent Operations/ [TJG]
Dept. 4300, M/S 27-4-A
AMGEN INC.
One Amgen Center Drive
Thousand Oaks, California 91320-1799

EXPRESS MAIL CERTIFICATE

*Express Mail® mail labeling number: EV 351340050 US

Date of Deposit: June 27, 2003

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SL. St. Andrew

Printed Name

SL. St. Andrew

Signature